



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
P.O. Box 8044
Madison, Wisconsin 53708-8044
TTY: Contact Through Relay
Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 63
Commerce #: 53590-2303-23-A
BRRTS #: 03-13-193977
Site Name: Davison C-Store
Site Address: 423 Columbus St, Sun Prairie, 53590
Site Manager: Wendell Wojner
Address: 3911 Fish Hatchery Rd
City, State Zip: Fitchburg, WI 53711-5367
Phone: 608-275-3297
e-mail: wendell.wojner@wisconsin.gov
Bid Manager: Alan A. Hopfensperger
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 266-0562
e-mail: alan.hopfensperger@wisconsin.gov

Bid-Start Date:	October 26, 2009
Questions must be received by (See Section 2 (B)):	November 09, 2009, 4:00 PM
Responses will be posted by (See Section 2 (B)):	November 27, 2009
Bid-End Date and Time:	December 11, 2009, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Xer-Lith Printing-Madison, 131 W Wilson St, Madison, WI 53703
Phone: (608) 257-8900 Fax: (608) 257-8900

SECTION 2 – Site-Specific Bid Requirements

General Comments

Retail sale of petroleum product has been conducted at the site from the 1920's to the present. In August of 1987 one 4,000 gallon and two 3,000-gallon gasoline USTs, one 500-gallon fuel oil UST and one 500-gallon waste oil UST were abandoned by removal at the site. One 8,000 gallon and two 4,000-gallon gasoline USTs were subsequently installed in the same tank bed (west of the building). Environmental investigation consisting of 22 soil borings, 16 groundwater quality monitoring wells and 6 piezometers, was conducted at the site from 1998 to 2008. Six rounds of groundwater quality monitoring have been conducted at the site to date. It is estimated that the petroleum contaminated groundwater plume, which exceeds WDNR enforcement standards, extends 190 foot in length by 170 foot in width. Free product, which was encountered in three monitoring wells and a sump has ranged in thickness from 0.02 to 3.2 feet, is estimated to encompass an area 120 feet long by 80 feet wide at the site.

The site was in Bid Round 28 and the work was completed in 2008.

A copy of the information in the case file has been provided to the copy shop. The case file contains other information not provided to the copy shop. A more complete description of the investigation and remediation history is contained in the file information.

Minimum Remedial Requirements

Groundwater Monitoring

- Conduct one round of groundwater monitoring on monitoring wells MW-1, MW-1R, MW-2, MW-3R, MW-4, MW-5, MW-6, MW-7, MW-8, MW-9, MW-10, MW-11, MW-12, MW-13, MW-14, PZ-1A, PZ-2, PZ-3, PZ-4, PZ-5, PZ-6 and S-1.
- Conduct an additional three rounds of quarterly groundwater monitoring on monitoring wells MW-1, MW1-R, MW-2, MW-3R, MW-14, PZ-1A, PZ-2, PZ-5 and PZ-6.
- At a minimum, groundwater monitoring in (a.) and (b.) shall include: measurement of water level and free product level (if present) in all the monitoring wells during each sampling round. Laboratory analysis of the groundwater samples must be conducted for PVOOC and naphthalene.
- Consult with the DNR Project Manager regarding when these sampling events should take place.
- In conjunction with the scheduled groundwater monitoring events if any wells are found to have free product present, the free product thickness shall be measured and the free product removed via hand bailing prior to collecting a groundwater sample from the well. For the purpose of the bid assume product removal from 2 wells, for 4 monitoring events. In addition, free product thickness measurements and the volume of free product recovered must also be recorded and submitted in the final report. The cost for free product disposal must be included in the bid. Please be aware that the cost cap established by this bid can be modified up or down by the per well unit cost depending on the amount of free product removal activities utilized upon completing this scope of work.

Product Pumping Removal

- Conduct free product/contaminated groundwater pumping events from MW-1R. If there is no free product present, inform the project manager. Pumping events should be conducted monthly for 3 months using an appropriate vacuum truck capable of extracting water/product from 25 feet bgs. The well should be pumped at least three times following recovery of the water/product column (a total of 3 pumpings per well per event) to within one foot of the pre-pump levels. Measure water levels and free product thickness (using a product/water interface probe) in all wells prior to and immediately following the pumping event. In addition, the volume of free product recovered must also be recorded and submitted in the final report. The contracted consultant should assume removal of a total of 300 gallons of contaminated groundwater/free product per pumping event. Consequently, assume extraction and disposal of 900 gallons of free product/highly contaminated groundwater through the completion of this work scope. In addition, bidders must include on page three of their bid response, a per gallon unit disposal cost (commodity cost only) to be used to adjust the cap in the event that a volume significantly more or less is actually removed and disposed.

Reporting

In addition to the specific electronic reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site as listed below the contracted consulting firm must submit the following upon completion of the scope of work:

- Submittal of one final groundwater monitoring report that will include, but not be limited to, a discussion of free product recovery efforts, plume dynamics, and natural attenuation trends based on groundwater quality, water level fluctuation, and seasonality. The report will include, but not be limited to, required and customary data and documentation, such as tables and figures depicting groundwater chemistry and flow, and copies of laboratory reports and chain of custody forms. One Table for all of the historical as well as the current bid round Groundwater Analytical Results for all the wells and piezometers with concurrent dates of sampling is required. In the final report the contracted consultant shall also include an evaluation and determination if additional remediation/monitoring measures are necessary to aid site clean up to the extent practicable to establish a stable or declining groundwater trend. If additional remedial measures appear necessary, provide a summary of the most practicable remedy at the site. However, if closure appears appropriate please provide recommendations for site closure with supporting evidence. Property boundaries in common with all adjacent properties shall be depicted on all site figures.
- For the sample events not commensurate with Comm 47.70 web reporting - a brief electronic groundwater monitoring report of the analytical results of sampling, free product check and removal documentation, and any problems incurred with the sampling event is to be submitted within 45 days of the receipt of the laboratory data for each event.

Closure Contingency Items

While this bid is not a bid to closure, there maybe a possibility of attaining closure at the conclusion of the work scope conducted under this bid or at anytime prior if stable or decreasing trends are evident closure. If closure is appropriate, a recommendation for closure should be provided in the final report. If the project manager concurs with closure recommendation, prepare and submit a complete closure report and GIS Registry packet (consistent with ch. NR 726, Wis. Adm. Code requirements) for closure consideration. For the purposes of the bid, bidders must provide a separate contingency cost line item for closure-related costs (including, but not limited to final well abandonment costs, closure form and narrative, GIS packet, deed restriction and maintenance plan) in their bid response. Commerce will modify the bid cap for the closure-related contingency costs, per the costs provided on the 2nd page of the Bid Response.

Bidders shall provide line item costs for all the activities listed above in the table provided on the 2nd Page of the Bid Response.

Please note that any waste generated during the work scope activities must be disposed of properly. Associated disposal costs must be included in the bid response for each activity.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE – BID ROUND 63

(1st Page)

Department of Commerce PECFA Program

Site Name: Davison C-Store

Commerce #: 53590-2303-23-A

BRRTS #: 03-13-193977

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE – BID ROUND 63**(2nd Page)**

Department of Commerce PECFA Program

Site Name: Davison C-Store**Commerce #: 53590-2303-23-A****BRRTS #: 03-13-193977****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity. If a future change order is needed to modify the cost cap, Commerce will use the bid unit rates for the modifications.

1	One round of groundwater monitoring from 22 wells (include analytical costs).	\$	
2	Three rounds of groundwater monitoring from 9 wells (include analytical costs).	\$	
3	Free product hand bailing removal from 2 wells, for 4 events in conjunction with groundwater monitoring	\$	
4	Conduct 3 free product/contaminated groundwater pumping events from one well	\$	
5	Documentation (reports, correspondence, etc.)	\$	
6	Other (If necessary), specify	\$	
7	PECFA Claim Preparation	\$	
8	Total Bid Amount	\$	

CONTINGENCY COSTS**(Will be Approved and Added to the Bid Cap as Needed) – see next page**

•	Fee product hand bailing removal unit cost (\$/per well)	\$	
•	Contingency for an additional FP/GW pumping event, include commodity and consultant costs (\$/per event).	\$	
•	Contingency for FP/GW pumping, per gallon unit disposal cost (<u>commodity cost only</u>)	\$	
•	Contingency cost for all closure-related costs (lump sum), including but not limited to case summary and closeout form and report, GIS Registry requirements, appropriate notification	\$	

	to the public, but SPECIFICALLY EXCLUDING well abandonment costs (and includes per diem and mileage).	
•	Well abandonment costs.	\$